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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**GLOBAL UNLIMITED MARKETING  
SOLUTIONS, INC., a Florida corporation,**

**Plaintiff,**

**vs.**

**GURUM CORPORATION dba JAY  
GLOBAL ENTERPRISES, a New York  
corporation, CHIN HU JUNG, KONG  
JUNG, STEVEN LIM and AARON  
CHANG,**

**Defendants.**

**CASE NO.:**

**PLAINTIFFS' MOTION FOR  
ISSUANCE OF PRELIMINARY  
INJUNCTION AND MOTION TO  
CONSOLIDATE THE TRIAL ON THE  
MERITS WITH HEARING ON  
PRELIMINARY INJUNCTION**

Plaintiff, Global Unlimited Marketing Solutions, Inc. ("Plaintiff"), by and through its undersigned counsel, hereby moves the Court to issue a Preliminary Injunction against Defendants, to enforce the statutory trust pursuant to Section 5(c) of the Perishable Agricultural Commodities Act, 7 U.S.C. §499e(c)(4), by segregating all trust assets of Gurum Corporation dba Jay Global Enterprises ("Gurum"). This Motion is supported by the Affidavits of Global Unlimited, and the Memorandum

of Law, each of which has been filed contemporaneously herewith.

Moreover, the Plaintiff requests that this Court consolidate the hearing on the Motion for a Preliminary Injunction with the trial on the merits pursuant to Rule 65(a)(2), Fed.R.Civ.P. , which provides that:

Before or after the commencement of the hearing of an application for a preliminary injunction, the court may order the trial of the action on the merits to be advanced and consolidated with the hearing of the application.

The District Court has discretion in determining whether or not consolidation of the Preliminary Injunction hearing with the trial is appropriate. *See Air Line Pilots Assn., Int'l v. Alaska Airlines, Inc.*, 898 F.2d 1393 (9<sup>th</sup> Cir., 1990). Plaintiff submits that consolidation in this case is appropriate with respect to its claims under PACA, and that consolidation will conserve the time and resources of the Court and the parties.

**WHEREFORE**, Plaintiff requests that the Court enter a Preliminary Injunction enforcing the statutory trust pursuant to Section 5(c) of the Perishable Agricultural Commodities Act, 7 U.S.C. §499e(c)(4), by segregating all trust assets of Gurum, and that this Court enter an Order consolidating the hearing on the Preliminary Injunction with the trial on the merits pursuant to Rule 65 (a)(2), Fed.R.Civ.P.

Respectfully submitted this 15th day of November, 2006.

OF COUNSEL:

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By: \_\_\_\_\_

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